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**FISCAL IMPACT STATEMENT**

**LS 6989**

**BILL NUMBER: SB 221**

**NOTE PREPARED: Jan 28, 2010**

**BILL AMENDED: Jan 28, 2010**

**SUBJECT:** Conditions of Hardship Licenses.

**FIRST AUTHOR:** Sen. Wyss

**FIRST SPONSOR:**

**BILL STATUS:** CR Adopted - 1<sup>st</sup> House

**FUNDS AFFECTED:**     **GENERAL**  
                              **X DEDICATED**  
                              **FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** This bill requires a court to impose reasonable monitoring requirements on a person who is issued a restricted driving permit if the person is a habitual traffic violator, and requires a court to impose certain conditions on habitual traffic violators.

**Effective Date:** July 1, 2010.

**Explanation of State Expenditures:** (Revised) For calendar years 2005 through 2008, the Bureau of Motor Vehicles (BMV) suspended, on average, 2,450 driver's licenses for being a habitual traffic offender. For the same period, the BMV averaged 350,000 total suspensions annually. For CY 2009, the BMV issued 784 hardship licenses and 790 licenses requiring the use of an ignition interlock device. The provisions of this proposal would be covered with current resources. The fund affected is the Motor Vehicle Highway Account which supports the BMV.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** (Revised) Requiring ignition interlock devices would result in minimal costs to counties. Counties do not incur additional costs when a court orders a person convicted of operating a vehicle while intoxicated to install and maintain an ignition interlock system. Persons who are ordered to install and properly maintain an ignition interlock system on their vehicle pay the entire cost of the operation. The average fee for installing an ignition interlock device is between \$70 and \$100, and the average cost of maintaining the device is between \$30 and \$60 per month. While current law does not require indigent persons convicted of being a habitual traffic violator to pay the cost of installing and maintaining an ignition interlock device, courts are not required to pay the cost of installing and maintaining an ignition interlock device, either.

Not all counties in which the hardship licenses were issued also had ignition interlock orders in CY 2009. When examining the number of counties in which courts had issued hardship licenses, LSA found that 17 counties did not have ignition interlock orders for any persons with hardship licenses. The average number of hardship licenses issued in these counties was 3.3, with a range from 1 to 16 hardship licenses ordered. Whether these counties would have any difficulty arranging for ignition interlock service with a vendor is not known.

**Explanation of Local Revenues:**

**State Agencies Affected:** BMV.

**Local Agencies Affected:** Courts.

**Information Sources:** BMV driver license data.

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